

MICHAEL A. JACOBS (CA SBN 111664)
MJacobs@mofo.com
ARTURO J. GONZÁLEZ (CA SBN 121490)
AGonzalez@mofo.com
MORRISON & FOERSTER LLP
425 Market Street
San Francisco, California 94105-2482
Tel: 415.268.7000 / Fax: 415.268.7522

KAREN L. DUNN (*Pro Hac Vice*)
kdunn@bsfllp.com
HAMISH P. M. HUME (*Pro Hac Vice*)
hhume@bsfllp.com
BOIES SCHILLER FLEXNER LLP
1401 New York Avenue, N.W.
Washington, D.C. 20005
Tel: 202.237.2727 / Fax: 202.237.6131

WILLIAM C. CARMODY (*Pro Hac Vice*)
bcarmody@SusmanGodfrey.com
SHAWN J. RABIN (*Pro Hac Vice*)
srabin@SusmanGodfrey.com
SUSMAN GODFREY LLP
1301 Avenue of the Americas, 32nd Floor
New York, New York 10019
Tel: 212.336.8330 / Fax: 212.336.8340

Attorneys for Defendants
UBER TECHNOLOGIES, INC.
and OTTOMOTTO LLC

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA
SAN FRANCISCO DIVISION

WAYMO LLC,

Plaintiff,

v.

UBER TECHNOLOGIES, INC.,
OTTOMOTTO LLC; OTTO TRUCKING LLC,

Defendants.

Case No. 3:17-cv-00939-WHA

**DEFENDANTS UBER
TECHNOLOGIES, INC.'S AND
OTTOMOTTO LLC'S
ADMINISTRATIVE MOTION TO FILE
UNDER SEAL THEIR OPPOSITION
TO WAYMO'S MOTION IN LIMINE
NO. 18 TO PRECLUDE RELIANCE ON
THE STROZ FRIEDBERG DUE
DILIGENCE INVESTIGATION**

Judge: Hon. William H. Alsup
Trial Date: December 4, 2017

Pursuant to N.D. Cal. Civil Local Rules 7-11 and 79-5, Defendants Uber Technologies, Inc. and Ottomotto LLC (collectively, “Uber”) submit this administrative motion for an order to file under seal exhibits to Uber’s Administrative Motion to File Under Seal their Opposition to Waymo’s Motion in *Limine* No. 18 to Preclude Reliance on the Stroz Friedberg Due Diligence Investigation. Specifically, Uber requests an order granting leave to file under seal the confidential portions of the following:

Document	Portions to Be Filed Under Seal	Designating Party
Exhibit 1 to the Declaration of Maxwell V. Pritt (“Pritt Decl.”)	Entire Document	Waymo
Exhibit 2 to Pritt Decl.	Entire Document	Waymo
Exhibit 3 to Pritt Decl.	Entire Document	Waymo
Exhibit 4 to Pritt Decl.	Entire Document	Waymo
Exhibit 5 to Pritt Decl.	Entire Document	Waymo
Exhibit 6 to Pritt Decl.	Entire Document	Waymo
Exhibit 7 to Pritt Decl.	Entire Document	Waymo
Exhibit 8 to Pritt Decl.	Entire Document	Waymo

Exhibits 1 through 7 are deposition excerpts and Exhibit 8 is Waymo’s Amended Witness List served on November 15, 2017. Uber does not believe that any of these exhibits contain “Confidential” information under the Protective Order. However, pursuant to protocols agreed upon by the parties on October 24, 2017, Uber is filing the entirety of these deposition transcripts under seal pending receipt of Waymo’s confidentiality designations pertaining to these transcripts, or confirmation from Waymo that these excerpts do not contain Waymo confidential information.

Pursuant to Civil Local Rule 79-5(d)(2), Uber will lodge with the Clerk the documents at issue, with accompanying chamber copies. Uber served Waymo with this motion on November 20, 2017.

For the forgoing reason, Uber request that the Court enter the accompanying Proposed Order granting this administrative motion to file documents under seal and designate the service copies of these documents as “Confidential” and/or Highly Confidential – Attorneys’ Eyes Only.”

1 Dated: November 20, 2017

BOIES SCHILLER FLEXNER LLP

2 By: /s/ Karen L. Dunn

3 Karen L. Dunn

4 *Counsel for Defendants*
5 UBER TECHNOLOGIES, INC. AND
6 OTTOMOTTO LLC
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28